

claim 1 and further in view of Rangan et al. Applicant respectfully traverses.

Tracking, as referred to in claim 1, refers to following (or predicting) the path of a object that is moving against a background, so that the position of the object in a frame of the video image sequence can be predicted based on the position of the object in an earlier frame, as shown in FIG. 4.

The examiner's rejection of claims 1-3 is based on the assertion that Schuster et al teaches a method of performing semiautomatic tracking of colored objects within a video image sequence, and in support of this assertion the examiner refers to column 6, lines 28-29 of Schuster et al. The two sentences that span column 6, lines 28-29 of Schuster et al read, "If the object background is known, the determination of the threshold value can be automated. The digitized, three-dimensional model functions can be used directly for the purpose of carrying out the classification of the object/background in a color image." There is no mention of tracking in these sentences and these sentences contain no wording that connotes or suggests tracking, as mentioned in claim 1. Applicant therefore submits that the basis of the examiner's rejection is defective and that the rejection cannot be sustained.

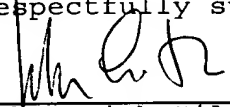
The examiner relies on Graham et al as disclosing [an] automatic data segmentation module for target motion analysis application. Referring to column 1, lines 15-21 of Graham et al, the examiner asserts that Graham et al discloses tracking an object of interest in successive frames of a video image. Further, the examiner considers a data sequence to be a video image. The passage in question does not contain any suggestion that Graham et al is concerned with a video-based system. There is no basis for considering the data sequence referred to by Graham as a video image: one would expect that in target motion analysis the data sequence would likely be a set including range, azimuth and elevation values. The passage at column 2, lines 35-62 does not suggest or disclose that a Kalman predictive algorithm should be applied to the centroid of an object. The reference at column 1, line 65-67 to reducing the computational burden and improving performance has no bearing on a possible modification of the disclosure of Schuster et al in view of Graham et al but relates to employment of heuristic rules in the system disclosed by Graham et al. In connection with the discussion of Graham et al, the examiner

suggests that Schuster et al teaches data segmentation for target motion analysis. Applicant submits that this is not the case.

In view of the foregoing, it is submitted that the invention defined in claim 1 is not disclosed or suggested by Schuster et al and Graham et al, whether taken singly or in combination. Therefore, claim 1 is patentable and it follows that the dependent claims 2 and 3 also are patentable.

The new independent claim 4 includes the step of tracking a selected object through successive frames of a video image sequence. Therefore, claim 4 is patentable over Schuster et al and Graham et al for the reasons asserted in support of claim 1. It follows that the dependent claims 5-10 also are patentable.

Respectfully submitted,



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20231, on the 18th day of June 2002.
